

**Fill in this information to identify the case:**

Debtor 1 ERVIN FRANK LAYER

Debtor 2  
(Spouse, if filing) \_\_\_\_\_

United States Bankruptcy Court for the: NORTHERN District of Texas  
(State)

Case number 17-32670-hdh13

Official Form 410S1

**Notice of Mortgage Payment Change**

12/15

If the debtor's plan provides for payment of postpetition contractual installments on your claim secured by a security interest in the debtor's principal residence, you must use this form to give notice of any changes in the installment payment amount. File this form as a supplement to your proof of claim at least 21 days before the new payment amount is due. See Bankruptcy Rule 3002.1.

Name of creditor: Bayview Loan Servicing, LLCCourt claim no. (if known): 4

Last 4 digits of any number you use to  
Identify the debtor's account: xxxxx0689

**Date of payment change:**  
Must be at least 21 days after date  
of this notice May 1, 2019

**New total payment** \$1,771.85  
Principal, interest, and escrow, if any

**Part 1: Escrow Account Payment Adjustment****1. Will there be a change in the debtor's escrow account payment?**☐ No

☒ Yes. Attach a copy of the escrow account statement prepared in a form consistent with applicable nonbankruptcy law. Describe the basis for the change. If a statement is not attached, explain why: \_\_\_\_\_

Current escrow payment: \$866.30New escrow payment: \$937.78**Part 2: Mortgage Payment Adjustment****2. Will the debtor's principal and interest payment change based on an adjustment to the interest rate on the debtor's variable-rate account?**☒ No

☐ Yes. Attach a copy of the rate change notice prepared in a form consistent with applicable non-bankruptcy law. If a notice is not attached, explain why: \_\_\_\_\_

Current interest rate \_\_\_\_\_ %

New interest rate: \_\_\_\_\_ %

Current principal and interest payment: \_\_\_\_\_

New principal and interest payment: \_\_\_\_\_

**Part 3: Other Payment Change****3. Will there be a change in the debtor's mortgage payment for a reason not listed above?**☒ No

☐ Yes. Attach a copy of any documents describing the basis for the change, such as a repayment plan or loan modification agreement. (Court approval may be required before the payment change can take effect.)

Reason for change: \_\_\_\_\_

Current mortgage payment: \_\_\_\_\_

New mortgage payment: \_\_\_\_\_

Debtor 1 ERVIN FRANK LAYER  
First Name Middle Name Last Name

Case number (if known) 17-32670-hdh13

**Part 4: Sign Here**

The person completing this Notice must sign it. Sign and print your name and your title, if any, and state your address and telephone number.

Check the appropriate box.

- ☐ I am the creditor.  
☐ I am the creditor's attorney.  
☒ I am the creditor's authorized agent.

I declare under penalty of perjury that the information provided in this claim is true and correct to the best of my knowledge, information, and reasonable belief.

x

Signature

Date

4/3/19

Print

First Name

Middle Name

Last Name

Title

Company

Address

4425 Ponce De Leon Blvd., 4th Floor

Number Street

Coral Gables, Florida 33146-1837

City

State

ZIP Code

Contact phone

855-813-6597

Email

**CERTIFICATE OF SERVICE**

I hereby certify that on 4/4/19 a true and correct copy of the Notice of Mortgage Payment Change and Escrow Analysis shall be served via electronic means, if available, otherwise by regular, first class mail on 4/5/19 to the following parties at the addresses indicated by deposit in the United States Mail, first class postage prepaid.

ERVIN FRANK LAYER  
9814 FAIRCREST DRIVE  
DALLAS, TX 75238  
**DEBTOR**

WELDON REED ALLMAND  
860 AIRPORT FREEWAY, SUITE 401  
HURST, TX 76054  
**ATTORNEY FOR DEBTOR**

THOMAS POWERS  
105 DECKER CT SUITE 1150  
IRVING, TX 75062  
**CHAPTER 13 TRUSTEE**

*Codilis & Stawiarski, P.C.*

/s/ Carron E. Nicks  
Annarose Harding SBOT#24071438  
Carron E. Nicks SBOT#01311905  
Cristina Platon Camarata SBOT#16061560  
Harriet Langston Wagner SBOT#11924400  
Lisa Cockrell SBOT#24036379  
Nicole Bartee SBOT#24007674  
Sarah S. Cox SBOT#24043439  
**ATTORNEYS FOR SECURED CREDITOR**

**BAYVIEW®**  
LOAN SERVICINGP.O. Box 331409  
Miami FL 33233-1409

**ANTICIPATED ESCROW ACCOUNT DISBURSEMENTS**

COUNTY TAX	\$3,649.61
TAXES	\$3,974.48
HAZARD INS	\$2,491.00
Total	\$10,115.09

\$10,115.09 / 12 months =  
Escrow Payment Calculation **\$842.92**

**Re  
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ted****ANNUAL ESCROW ACCOUNT DISCLOSURE STATEMENT  
AND CHANGE OF PAYMENT NOTICE PREPARED FOR**Redacted  
**ESCROW ANALYSIS DATE: 03/14/2019**Ervin F Layer  
C/O Weldon Reed Allmand  
Allmand Law Firm, Pllc  
Ste 401  
860 Airport Freeway**NEW PAYMENT IS AS FOLLOWS:**

Principal and Interest	\$834.07
Required Escrow Payment	\$842.92
Shortage/Surplus Spread	\$94.86
Optional Coverages	
Buydown or Assistance Payments	
Other	

**Redacted**

Total Payment	\$1,771.89
New Payment Effective Date:	05/01/2019
Current Payment Due Date:	09/01/2018

This statement provides a detailed summary of activity related to your escrow account. Bayview Loan Servicing maintains your escrow account to pay such items as property taxes, insurance premiums, and/or mortgage insurance. The escrow items to be disbursed from your account over the next twelve months are summarized above.

**ESCROW ACCOUNT PROJECTION FOR THE COMING YEAR**

The following estimate of activity in your escrow account from 05/2019 through 04/2020 is provided for your information. All payments we anticipate receiving as well as disbursements we anticipate making on your behalf are included. This also includes the Projected Escrow Account Balance, derived by carrying forward your current actual escrow balance. Please retain this statement for comparison with the actual activity in your account at the end of the next escrow account computation year.

MONTH	PAYMENTS TO ESCROW ACCOUNT	PAYMENTS FROM ESCROW ACCOUNT				TAXES	TAX DESC.	ESCROW ACCOUNT BALANCE	
		MIP/PMI	FLOOD	HAZ. INS.	WIND INS.			PROJECTED	REQUIRED
STARTING BAL								\$43.35 <sup>1</sup>	\$3,371.73 <sup>2</sup>
MAY 19	\$842.92							\$796.57	\$4,214.65
JUN 19	\$842.92							\$1,642.49	\$5,057.57
JUL 19	\$842.92							\$2,485.41	\$5,900.49
AUG 19	\$842.92							\$3,328.33	\$6,743.41
SEP 19	\$842.92							\$4,171.25	\$7,586.33
OCT 19	\$842.92							\$5,014.17	\$8,429.25
NOV 19	\$842.92							\$5,857.09	\$9,272.17
DEC 19	\$842.92					\$3,649.61	COUNTY TAX	\$3,050.40	\$6,465.48
DEC 19						\$3,974.48	SCHOOL TAX	\$824.08	\$2,491.00
JAN 20	\$842.92							\$81.16	\$3,333.92
FEB 20	\$842.92			\$2,491.00				\$1,729.24 <sup>*</sup>	\$1,685.84 LP
MAR 20	\$842.92							\$886.32	\$2,528.76
APR 20	\$842.92							\$43.40	\$3,371.66
Total			\$2,491.00			\$7,624.09			

(1) Your current escrow balance is negative \$5,349.05. To project the next year's tax and insurance payment we added \$7,796.70 for payments not yet made and subtracted \$2,491.00 for disbursement not yet made. This brings your projected starting balance to negative \$43.35 (see breakdown on next page).

(LP) The lowest (LP) required escrow balance for the next 12 months is scheduled to be \$1,685.84 (cushion) which is 1/6 of the anticipated escrow account installment. Under Federal Law (RESPA) or applicable state law, a cushion in your escrow account is permitted (excluding MIP/PMI).

(\*) Your lowest (\*) projected escrow balance for the next 12 months is scheduled to be negative \$1,729.24. Your bankruptcy escrow claim amount of \$0.00 will be added to your escrow balance. The difference between the lowest projected balance, bankruptcy escrow claim amount and cushion is \$3,415.08. This results in a shortage once all the payments not yet made for the tax and insurance portion are received.

(2) Based on the escrow account projection for the coming year indicated above, your escrow account requires a starting escrow balance of \$3,371.73 to arrive at the lowest (LP) required escrow balance.

This escrow analysis is based on the assumption that all escrow advances made on your loan prior to your bankruptcy filing date are included in your bankruptcy plan and will be paid through that plan. In other words, we are only analyzing for taxes (and insurance if applicable) that will come due after your current bankruptcy filing date.

**IF YOU ARE REPRESENTED BY AN ATTORNEY, PLEASE NOTIFY US AND PROVIDE THIS CORRESPONDENCE TO YOUR ATTORNEY.**

**ESCROW SHORTAGE REMITTANCE FORM**

Name: Ervin F Layer

Escrow Shortage Amount: \$3,415.08

Your escrow shortage has been spread over a 36 month period, which may result in an increase in your payment. If you choose to pay your Escrow Shortage Amount in a lump sum, please include your account number on your check, and mail this coupon with your remittance to:

BAYVIEW LOAN SERVICING, LLC  
P.O. BOX 4425  
CORAL GABLES FL 33146-4425

Amount Enclosed: \$ \_\_\_\_\_

Your new payment will then be: \$1,676.99.

## ANNUAL ESCROW ACCOUNT DISCLOSURE STATEMENT - ACCOUNT HISTORY

Redacted

Name: Ervin F Layer

Redacted

This is a statement of actual activity in your escrow account from 10/2018 through 04/2019. Last year's projections are next to the actual activity. No prior escrow analysis at Bayview. An asterisk(\*) indicates a difference from a previous estimate either in the date or the amount. An 'E' indicates a projected disbursement or payment.

Your anticipated low point may or may not have been reached based on one or more of the following factors:

- |   |   |  |
|---|---|--|
| <b>PAYMENT(S)</b> <ul style="list-style-type: none"> <li>Monthly payment(s) were received less than OR greater than expected</li> <li>Monthly payment(s) were received earlier OR later than expected</li> <li>Previous overage was returned to escrow</li> <li>Previous deficiency/shortage not paid entirely</li> </ul> | <b>TAXES</b> <ul style="list-style-type: none"> <li>Tax rate and/or assessed value changed</li> <li>Exemption status lost or changed</li> <li>Supplemental/Delinquent tax paid</li> <li>Tax bill paid earlier OR later than expected</li> <li>Tax installment not paid</li> <li>Tax refund received</li> <li>New tax escrow requirement paid</li> </ul> | <b>INSURANCE</b> <ul style="list-style-type: none"> <li>Premium changed</li> <li>Coverage changed</li> <li>Additional premium paid</li> <li>Insurance bill paid earlier OR later than expected</li> <li>Premium was not paid</li> <li>Premium refund received</li> <li>New insurance escrow requirement paid</li> <li>Force placed insurance premium paid</li> </ul> |
|---|---|--|

MONTH	PAYMENTS TO ESC. ACCT. PROJECTED	ACTUAL	PAYMENTS FROM ESC. ACCT. PROJECTED	ACTUAL	DESCRIPTION	ESCROW BAL. PROJECTED	COMPARISON ACTUAL
STARTING BAL						\$0.00	\$488.00
NOV		\$50.00 *		\$3,649.61 *	COUNTY TAX	\$0.00	\$3,119.01-
NOV				\$3,974.48 *	SCHOOL TAX	\$0.00	\$7,093.49- L
DEC		\$381.58 *				\$0.00	\$6,711.91-
JAN		\$1,963.20 *				\$0.00	\$4,748.71-
FEB				\$600.34 *	HAZARD INS	\$0.00	\$5,349.05-
MAR		\$6,930.40 *E		\$2,491.00 *E	HAZARD INS	\$0.00	\$908.65-
APR		\$866.30 *E				\$0.00	\$43.35-
Total	\$0.00	\$10,191.48	\$0.00	\$10,715.43			

\* = indicates a difference from a previous estimate either in the date or the amount  
 E = projected disbursement or payment  
 L = Lowest Escrow Balance

**Starting Projected Escrow Balance:**

Current Escrow Balance	\$5,349.05-
Payments Not Yet Made	\$7,796.70
Disbursements Not Yet Made	\$2,491.00
Projected Escrow Balance	\$43.35-

At the time of your escrow account review, your expected lowest balance was \$0.00 (cushion) or 1/6 of the anticipated escrow payment. Your actual lowest escrow balance was negative \$7,093.49, as shown in the above "Account History".

**Confirmed SII Disclaimer:** If you are a confirmed successor in interest of the account, unless you assume the mortgage loan obligation under state law, you are not personally liable for the mortgage debt and cannot be required to use your own assets to pay the mortgage debt.

**Notice to customers who are in bankruptcy or whose obligation has been discharged and not reaffirmed:** To the extent your obligation has been discharged or is subject to an automatic stay in a bankruptcy proceeding under Title 11 of the United States Code, this notice is for compliance and informational purposes only and does not constitute a demand for payment or an attempt to collect any payment. If you are represented by an attorney, please notify us and provide this correspondence to your attorney.

Should you require additional information, please call Customer Service: 1-800-457-5105  
 Mon-Fri, 8:00 a.m. to 7:00 p.m., EST  
[www.bayviewloanservicing.com](http://www.bayviewloanservicing.com)